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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE GOOGLE PLAY STORE ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

Epic Games Inc. v. Google LLC et al.,
Case No. 3:20-cv-05671-JD

In re Google Play Consumer Antitrust Litigation, Case No. 3:20-cv-05761-JD

In re Google Play Developer Antitrust Litigation, Case No. 3:20-cv-05792-JD

State of Utah et al. v. Google LLC et al.,
Case No. 3:21-cv-05227-JD

Match Group, LLC et al. v. Google LLC et al.,
Case No. 3:22-cv-02746-JD

Case No. 3:21-md-02981-JD

PLAINTIFFS' NOTICE REGARDING OPEN ISSUES

Judge: Hon. James Donato

Plaintiff Epic Games, Inc., Consumer Plaintiffs, State Attorneys General Plaintiffs
ntiff States") and Plaintiffs Match Group LLC et al., ("Plaintiffs" and together with
e, the "Parties") wish to update the Court on the status of open issues currently pending
the Court, including the Parties' Joint Proposed Schedule (MDL Dkt. No. 329), the Joint
ment Regarding Google's Preservation of Instant Messages (MDL Dkt. No. 258) and Epic's
ng Administrative Motion to Consider Whether Another Party's Materials Should Be
1 (MDL Dkt. No. 220). Plaintiffs respectfully request the Court's rulings on these open
as soon as practicable.

1. Joint Proposed Schedule

At the August 4, 2022 proceedings, the Court discussed case scheduling requests filed by Consumer Plaintiffs, Plaintiff States, and Plaintiffs Match Group LLC et al. In the August 4 Proceedings Minute Entry, the Court stated that it was “inclined to grant a 45-day extension of

1 all dates” and directed the Parties “to meet and confer, and submit a new proposed
 2 schedule.” The Parties met and conferred and jointly proposed a new proposed schedule on
 3 August 30, 2022. (MDL Dkt. No. 329.) Because there are several upcoming deadlines in that
 4 schedule, including a fact discovery deadline and expert report disclosure deadlines, the Parties
 5 will continue to work towards the dates in the proposed schedule while the Court considers the
 6 Parties’ proposal.

7 **2. Joint Statement Regarding Google’s Preservation of Instant Messages**

8 In the Minute Entry following the May 12, 2022 Conference, the Court asked the Parties
 9 to file a statement regarding Defendants’ alleged destruction of instant messages and to “jointly
 10 propose a method of resolution, including a possible evidentiary hearing” and also to include “a
 11 proffer from plaintiffs supporting their assertion that Google has engaged in the improper
 12 destruction of instant messages”. (MDL Dkt. No. 230.) The Parties filed a Joint Statement
 13 Regarding Google’s Preservation of Instant Messages on May 27, 2022, which includes a
 14 proposed method of resolution and proffers from Plaintiffs and Defendants. (MDL Dkt. No.
 15 258.)

16 **3. Epic’s Pending Administrative Motion to Consider Whether Another Party’s
 17 Materials Should Be Sealed**

18 On April 28, 2022, Epic filed a Notice of Motion and Motion for Preliminary Injunction
 19 (MDL Dkt. No. 213) and accompanying Administrative Motion to Consider Whether Another
 20 Party’s Materials Should Be Sealed (MDL Dkt. No. 220) (the “Sealing Motion”). On
 21 May 24, 2022, Epic and Google jointly emailed the Court requesting guidance as to how to
 22 proceed with respect to Epic’s pending Sealing Motion and conveying the parties’ positions.

Dated: September 29, 2022

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Respectfully submitted,

By: /s/ Lauren A. Moskowitz

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Respectfully submitted,

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E-FILING ATTESTATION

I, Lauren A. Moskowitz, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Lauren A. Moskowitz

Lauren A. Moskowitz